

Amendment to the Claims:

This listing of claims will replace all prior versions and
30 listing of the claims in the application.

Listing of the Claims:

1. (Original) A triangularly shaped bottle fabricated
35 from flexible webs and including a fitment which comprises:

a bottom section;

a body section comprising a front side panel, a rear side panel,
and one gusseted side panel, each of said front side panel,
rear side panel and gusseted side panel having

40 predetermined widths;

a neck section formed from extended portions of said front and
rear side panels and extended portions of said gusseted
side panel, the widths of said extended portions of said
front and rear side panels and said gusseted side panel
45 being reduced at said neck section;

a tapered transition section between said body section and said
neck section; and

a fitment positioned within said neck section, and sealed to
said extended portions of said front and rear side panels
50 and to said extended portions of said gusseted side panel.

2. (Original) A triangularly shaped bottle as recited in claim 1 wherein said neck section is sealed to said fitment by applying heat and pressure to said neck section against said fitment at least two times and from at least two different angular directions.

3. (Original) A triangularly shaped bottle as recited in claim 2 wherein at least two of said applications of heat and pressure are applied from directions which differ by about 90 degrees.

4. (Original) A triangularly shaped bottle as recited in claim 1 wherein said neck section is sealed to said fitment by applying ultrasonic energy to the interface between said neck section and said fitment.

5. (Original) A triangularly shaped bottle as recited in claim 1 wherein the side edges of said front side panel, said rear side panel, and said gusseted side panel are contoured.

6. (Currently Amended) A triangularly shaped bottle as recited in claim 1 wherein said bottom portion is formed from extended portions ~~portions~~ of said front and rear side panels and said gusseted side panel, the edges of said extended portions tapering at an angle of about 30 degrees.

7. (Original) A triangularly shaped bottle as recited in claim 1 and further including a handle portion extending from said transition and neck sections.

8. (Original) A triangularly shaped bottle fabricated from flexible webs and including a fitment having a cylindrical base which comprises:

a bottom section;

5 a body section comprising a front side panel, a rear side panel, and one gusseted side panel, each of said front side panel, rear side panel and gusseted side panel having predetermined widths;

10 a neck section formed from extended portions of said front and rear side panels and extended portions of said gusseted side panel, the widths of said extended portions of said front and rear side panels and gusseted side panel being reduced at said neck section;

15 a tapered transition section between said body section and said neck section; and

a fitment having a cylindrical base positioned within said neck section, said cylindrical base being sealed to said extended portions of said front and rear side panels and to said extended portions of said gusseted side panel.

9. (Original) A triangularly shaped bottle as recited in claim 8 wherein said neck section is sealed to said cylindrical base by the application of heat and pressure.

10. (Original) A triangularly shaped bottle as recited in claim 9 wherein said heat and pressure is applied more than one time, and at least two of said applications of heat and pressure are applied from directions which differ by about 90 degrees.

11. (Original) A triangularly shaped bottle as recited in claim 8 wherein said neck section is sealed to said fitment by applying ultrasonic energy to the interface between said neck section and said cylindrical base.

12. (Original) A triangularly shaped bottle as recited in claim 8 wherein the side edges of said front side panel, said rear side panel, and said gusseted side panel are contoured.

13. (Currently Amended) A triangularly shaped bottle as recited in claim 8 wherein said bottom portion is formed from extended portions ~~portions~~ of said front and rear panels and said gusseted side panel, the edges of said extended portions tapering at an angle of about 30 degrees.

14. (Original) A triangularly shaped bottle as recited in claim 8 and further including a handle portion extending from said transition and neck sections.

15. (Withdrawn) A method of fabricating a triangularly shaped flexible bottle that includes a neck section containing a fitment, a transition section, a body section, and a bottom section, which method comprises the steps of:

5 feeding a web into a fabricating machine, said web being comprised of flexible films, said web including i) one folded gusset, said gusset having an upper face and a lower face, and ii) top and bottom laminations, said top and bottom laminations abutting the upper and lower faces of
10 said folded gusset;

forming perimeter seams at the sides of at least said neck section and said transition section, but not including said bottom section, said neck section being the portion of said bottle fed into said machine first, said perimeter seams
15 attaching said top lamination to the upper face of said gusset, and attaching said bottom lamination to the lower face of said gusset;

cutting away the material outside said perimeter seams in the regions of said neck section and said transition section;

20 inserting a fitment into said neck section through the unseamed
bottom section, said insertion being in the direction said
web is being fed;

forming perimeter seams around the portions of said bottle not
formed in the prior perimeter seaming step, said perimeter
25 seams attaching said top lamination to the upper face of
said gusset, and attaching said bottom lamination to the
lower faces of said gusset;

severing said bottle from said web; and

sealing said neck section to said fitment.

16. (Withdrawn) A method of fabricating a triangularly
shaped flexible bottle as recited in claim 15 wherein said
sealing of said neck section to said fitment is accomplished by
applying heat and pressure on said neck section against said
fitment.

17. (Withdrawn) A method of fabricating a triangularly
shaped flexible bottle as recited in claim 16, wherein the step
of applying heat and pressure to the interface between said neck
section and said fitment is performed more than one time, at
5 least two of said times said heat and pressure are applied being
at at different radial angles.

18. (Withdrawn) A method of fabricating a triangularly shaped flexible bottle as recited in claim 17 wherein said different radial angle is about 90 degrees.

19. (Withdrawn) A method of fabricating a triangularly shaped flexible bottle as recited in claim 15 wherein said sealing of said neck section to said fitment is accomplished by applying ultrasonic energy to said neck section against said fitment.